

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SUMANTE J HUTCHINSON,

Plaintiffs,

v.

CONTRA COSTA COUNTY, et al.,

Defendants.

Case No. 23-cv-05126-EMC

**ORDER GRANTING DEFENDANT’S
MOTION TO DISMISS**

Docket No. 20

Pending before the Court is Defendant Contra Costa County’s motion to dismiss. Docket No. 20. Plaintiff failed to file an amended Complaint by March 30, 2024, or within 30 days of the Court granting Defendant’s motion to dismiss with leave to amend. *Id.*

Given Mr. Hutchinson’s failure to file an amended Complaint, on April 9, 2024, the Court issued an order to show cause as to why this action should not be dismissed for failure to prosecute. *See* Docket No. 26 (“OSC”). The Court clearly advised Mr. Hutchinson that it would dismiss this action with prejudice if he did not respond to the order to show cause as to why he failed to timely amend the Complaint. *Id.* The Court gave him until May 10, 2024, to respond to the OSC.

Accordingly, because Mr. Hutchinson did not respond to this Court’s order to show cause before the deadline, Defendant’s motion to dismiss is **GRANTED** and this action is **DISMISSED** with prejudice for failure to prosecute.

IT IS SO ORDERED.

Dated: May 21, 2024.

United States District Court
Northern District of California

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EDWARD M. CHEN
United States District Judge